IN THE CLAIMS

1. – 44. **(canceled)**

45. **(currently amended)** A transmitting apparatus capable of executing retransmission of packet data when the packet data cannot be received correctly on a receiving side, said transmitting apparatus comprising:

a transmission parameter controller which changes a transmission parameter in accordance with conditions of a propagation path; and

a controller which obtains a plurality of divided packet data by dividing packet data which has been transmitted and not been received correctly on the receiving side and conducts retransmission of the plurality of divided packet data respectively based on the transmission parameter, wherein the packet data, which has been transmitted and not been received correctly on the receiving side, includes only a single number as number information of the packet data, and each of the plurality of the divided packet data includes only a same and single number as number information of the packet data ~~which has been transmitted~~.

46. (canceled)

47. **(currently amended)** A transmitting method in a transmitting apparatus capable of executing retransmission of packet data when the packet data cannot be received correctly on a receiving side, said transmitting method comprising:

changing a transmission parameter in accordance with conditions of a propagation path; and

obtaining a plurality of divided packet data by dividing packet data which has been transmitted and not been received correctly on the receiving side and conducting

retransmission of the plurality of divided packet data respectively based on the transmission parameter, wherein the packet data, which has been transmitted and not been received correctly on the receiving side, includes only a single number as number information of packet data, and each of the plurality of the divided packet data includes only a same and single number as number information of the packet data ~~which has been transmitted~~.

48. (canceled)

49. **(currently amended)** A receiving apparatus which receives packet data which is retransmitted from a transmitter when the packet data cannot be received correctly by the receiving apparatus, said receiving apparatus comprising:

a receiver which receives from the transmitter a plurality of divided packet data which are obtained by dividing packet data which has been transmitted to the receiving apparatus and not received correctly, wherein the packet data, which has been transmitted and not been received correctly, includes only a single number as number information of the packet data, and each of the plurality of divided packet data includes only a same and single number as number information of the packet data ~~which has been transmitted~~; and

receiving data processing unit which conducts receiving process by using the number information included in each of the plurality of divided packet data.

50. (canceled)

51. **(currently amended)** A receiving method in a receiving apparatus which receives packet data which is retransmitted from a transmitter when the packet data cannot be received correctly by the receiving apparatus, said receiving method comprising:

receiving from the transmitter a plurality of divided packet data which are obtained by dividing packet data which has been transmitted to the receiving apparatus and not received correctly, wherein the packet data, which has been transmitted and not been received correctly, includes only a single number as number information of the packet data, and each of the plurality of divided packet data includes only a same and single number as number information of the packet data ~~which has been transmitted~~; and

conducting receiving process by using the number information ~~and the parameter~~included in each of the plurality of divided packet data.

52. (canceled)

53. **(currently amended)** A mobile communication system including a receiving apparatus and a transmitting apparatus capable of executing retransmission of packet data when the packet data cannot be received correctly by the receiving apparatus, said mobile communication system comprising:

a transmission parameter controller which changes a transmission parameter in accordance with conditions of a propagation path;

a controller which obtains a plurality of divided packet data by dividing packet data which has been transmitted and not been received correctly on the receiving side and conducts retransmission of the plurality of divided packet data respectively based on the transmission parameter, wherein the packet data, which has been transmitted and not been received correctly on the receiving side, includes only a single number as number information of the packet data, and each of the plurality of the divided packet data includes only a same and single number as number information of the packet data ~~which has been transmitted~~;

a receiver which receives the plurality of divided packet data; and

a receiving data processing unit which conducts receiving process by using the number information included in each of the plurality of divided packet data,

wherein the transmitting apparatus includes the transmission parameter controller and the controller and the receiving apparatus includes the receiver and the receiving data processing unit.

54. (canceled)

55. **(new)** The transmitting apparatus according to claim 45, wherein in a case where the conditions of the propagation path at a time of retransmission are inferior to those that prevailed at a time of the previous transmission, the transmission parameter controller changes the transmission parameter and the controller obtains a plurality of divided packet data by dividing said packet data and conducts retransmission of the plurality of divided packet data respectively based on the transmission parameter.

56. **(new)** The transmitting apparatus according to claim 45, wherein in a case where the transmission parameter controller does not change the transmission parameter, the controller conducts retransmission of said packet data as it is.